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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JAMES JEFFERSON KENNER,

Plaintiff,

v.

WILLIAM MILLER, *et al.*,

Defendants.

3:13-cv-00706-MMD-VPC

MINUTES OF THE COURT

June 9, 2015

PRESENT: THE HONORABLE VALERIE P. COOKE, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: LISA MANN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Before the court is defendants' motion to strike (#27) plaintiff's surreply (#26) to defendants' motion for summary judgment. Plaintiff opposed (#28).

The court may strike an improper filing under its "inherent power over the administration of its business." *Spurlock v. F.B.I.*, 69 F.3d 1010, 1016 (9th Cir. 1995). In this District, briefing consists of a motion and opening brief, an opposition, and a reply. Local Rule 7-2. The non-moving party—in this instance, plaintiff—may not respond to the moving party's reply without obtaining leave of the court. *See id.*

Defendants argue that plaintiff's surreply should be stricken because, under the Local Rules, it is an improper filing. (#27 at 2-3.) They point out that plaintiff failed to obtain leave prior to filing. (*Id.*) Plaintiff counters that he is uneducated in law and, therefore, the court cannot demand his compliance with the Local Rules. (#28 at 1.)

The motion to strike (#27) is **GRANTED**. Plaintiff's position is unpersuasive. The court reminds plaintiff that his status as a *pro se* party does not relieve him from his obligation to comply with procedural requirements. Instead, it merely lowers his burden with respect to

pleading, as compared to what the court might expect from an attorney. *See Hebbe v. Pliler*, 627 F.3d 338, 341-42 (9th Cir. 2010). Because plaintiff did not obtain leave, the court **STRIKES** his surreply (#26). Briefing on the summary judgment motion has concluded.

IT IS SO ORDERED.

LANCE S. WILSON, CLERK

By: /s/
Deputy Clerk